

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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SCOTTSDALE INSURANCE COMPANY,

Plaintiff(s),

vs

15-cv-04764 (ADS)(AYS)

PRISCILLA PROPERTIES, LLC, NANCY  
BELANGER, AS ADMINISTRATRIX OF THE  
ESTATE OF NEIL BELANGER, NANCY  
BELANGER INDIVIDUALLY, MONICA A.  
GRAHAM, MONICA GRAHAM TRUST, PINE  
CONSTRUCTION CORP.

Defendant(s)

DECLARATION OF MARK  
GARRISON IN SUPPORT OF  
SCOTTSDALE INSURANCE  
COMPANY'S MOTION FOR  
DEFAULT JUDGMENT AND  
SUMMARY JUDGMENT

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MARK GARRISON, hereby declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury, that the following is true and correct based on my knowledge of the facts of this case and a review of the file maintained by Scottsdale Insurance Company ("Scottsdale"):

1. I am a Senior Claims Specialist with Nationwide, the entity responsible for handling claims made under insurance policies underwritten by Scottsdale. As such, I am familiar with the facts and circumstances of this action.

2. I submit this Declaration in support of Scottsdale's motion for an Order granting: (1) default judgment against defendants Priscilla Properties, LLC ("Priscilla") and Pine Construction Corp ("Pine"); and (2) summary judgment against all other defendants.

3. Attached hereto as **Exhibit A** is a true and correct copy of the Commercial Insurance Application, dated February 22, 2010, that Priscilla submitted to Scottsdale.

4. Attached hereto as **Exhibit B** is a true and correct copy of the Artisan Contractors

Supplemental Application, dated February 22, 2010, that Priscilla submitted to Scottsdale.

5. Attached hereto as **Exhibit C** is a true and correct copy of the insurance policy issued to Priscilla by Scottsdale, Policy No. CPS1149753.

6. Attached hereto as **Exhibit D** is a true and correct copy of March 27, 2015 deposition transcript of Alfred Tuff, a member of Priscilla, taken in connection with the action commenced in the Supreme Court of the State of New York, County of New York, captioned *Belanger v. Graham et al.*, Index No. 005761/13 (the "Underlying Action"). The deposition transcript attached as Exhibit D to this declaration was provided to Scottsdale in connection with Scottsdale's investigation of the Underlying Action, which was submitted to Scottsdale by or on behalf of Priscilla seeking coverage under the Policy for the Underlying Action.

7. Attached hereto as **Exhibit E** is a true and correct copy of September 15, 2015 deposition transcript taken in connection with the Underlying Action. The deposition transcript attached as Exhibit E to this declaration was provided to Scottsdale in connection with Scottsdale's investigation of the Underlying Action, which was submitted to Scottsdale by or on behalf of Priscilla seeking coverage under the Policy for the Underlying Action.

8. Attached hereto as **Exhibit F** is a true and correct copy of Scottsdale's underwriting guidelines for the New York Artisan Insurance Program.

Dated: Gig Harbor, Washington  
July 12, 2016

Respectfully submitted,

By: Mark P. Garrison  
Mark Garrison